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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/663,592

09/15/2003

Andrew E. Fano

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EXAMINER

DEANE JR, WILLIAM J

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

06/23/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/663,592	<b>Applicant(s)</b> FANO ET AL.	
	<b>Examiner</b> William J. Deane	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-105 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 26-105 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 24 and 26 - 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2002/0057764 (Salvucci et al.) in view of U.S. Patent No. 6,885,874 (Grube et al.)

With respect to claim 1 and 15, note that Salvucci et al. teach a Real-time incident and response messaging system where the incident report is from an external network and though Salvucci et al. do not specifically disclose a media database or a media aggregation program such is inherent given a fair reading of Salvucci et al. Please note paragraphs 0036 – 0066, 0074 -0076 and 0152 of Salvucci et al.

With respect to a dispatch program which analyzing the incident information to determine an incident location; determining an incident coverage area around the incident location; preparing an incident alert for transmission; and initiating transmission of the incident alert to a subscriber entity within the incident coverage area of the incident location, note Col. 1, lines 38 – 44, Col. 2, lines 10 – 28, Col. 3, lines 45 – 51, Col. 8, lines 36 – 55, Col. 13, lines 14 – 23 and Col. 16, lines 52 – 57 of Grube et al. It would have been obvious to one of ordinary skill in the art to have incorporated such a

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dispatch program as disclosed by Grube et al. into the Salvucci et al. system as such would only entail the substitution of one known dispatch program for another.

With respect to claims 2 - 4, note paragraph 0151 and 0153 of Salvucci et al.

With respect to claim 5, note the use of a telephone network in the Figs of both Grube et al. and of Salvucci et al. .

With respect to claim 6, note the use a camera in paragraph 0151 of Salvucci et al. .

With respect to claim 7, note paragraph 0151 of Salvucci et al. .

With respect to claim 8, note the use of a phone which includes a microphone.

With respect to claims 9 - 10, note Fig. 4 of Salvucci et al.

With respect to claims 11 - 14, it would have been obvious to one of ordinary skill in the art to have placed a database wherever it was deemed necessary.

With respect to claims 16 – 21, note Fig. 4 of Salvucci et al.

With respect to claims 22 – 24, note at least paragraphs 0122 and 0125 of Salvucci et al.

With respect to claims 25 - 26, such if not inherent in Salvucci et al. would be obvious to one of ordinary skill.

With respect to claim 27, note the Figs of Salvucci et al.

With respect to claims 28 – 34, please note the rejections above.

Claims 35 – 49, 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2002/0057764 (Salvucci et al.) in view of U.S. Patent

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No. 6,885,874 (Grube et al.) in view of U.S. Patent Application No. 2002/0076003 (Zellner).

With respect to claims 35 - 49, note paragraphs 0033 – 0034 of Zellner. It would have been obvious to have incorporated controllable sensors as taught by Zellner into the Salvucci et al./Grube et al. device in order to have more control over the devices and to save bandwidth and energy. In addition, note the following paragraphs 0083, 0089, 0093, 0113, 0116, 0124 – 0128 and 0131 – 0132 of Salvucci et al.

With respect to claims 50 – 63, such limitations would be obvious to one of ordinary skill in the art. Unless one has unlimited storage space then such limitations would be obvious to one of ordinary skill.

With respect to claims 64 – 66, note the rejection above.

With respect to claims 67 – 74, note the rejections above. In addition, menus and menu trees are well known in the art and such would have been obvious to one of ordinary skill in the art.

With regard to claim 76, such limitations are well within the parameters of one of ordinary skill in the art given a fair reading of Salvucci, Grube et al. and Zellner.

With respect to claim 77 and thumbnails, such a limitation would have been obvious to one of ordinary skill in the art considering the fact that both Salvucci and Zellner use cameras and video cameras.

With respect to claims 78 – 85, note the rejection above.

With respect to claims 86 - 87, note paragraph 0151 of Salvucci et al.

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With respect to claims 88 – 105, note the rejections above. In addition, note that all three references, Zellner et al., Grube et al. and Salvucci et al. are able to route the information and therefore, it would have been obvious to one of ordinary skill to route the call to whatever center or agency or agent it was deemed necessary.

***Response to Arguments***

Applicant's arguments with respect to claims 1 – 24 and 26 - 105 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (571) 272-7484. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (571) 273-8300.

20Jun2009

/William J Deane/

Primary Examiner, Art Unit 2614